Attorney's Docket No.:10559-540001/P12560

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. Claim amendments are presented herein to obviate the current rejection. No new matter has been added.

Claims 1-9 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Blumenau in view of Nahum. These rejections are respectfully traversed.

Claim 1 has been amended to recite determining an upper limit of resource consumption for the remote processor; releasing a local resource controlled by the host processor to the remote processor based on the collected accounting information and if an amount of resources consumed by the remote processor are below the determined upper limit, the utilization of the local resource maintained within a pre-determined upper threshold; and if at least one of the upper threshold and the upper limit is exceeded, reducing availability of the local resource to the remote processor by the host processor (for support see, inter alia, specification par. 15).

Neither Blumenau or Nahum suggests an arrangement in which an upper limit for a remote processor may be determined and may be utilized to reduce availability of a local resource to the remote processor when exceeded. Blumenau describes an

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arrangement in a dynamic balancing facility periodically computes a new list of storage subsystem ports for each of the hosts to access based on measured data packet frequencies as well as a priority level (see, inter alia, Blumenau col. 7, lines 53-62). These priority levels are assigned to each of the hosts by, for example, an administrator and may be used to permit some of the hosts to have priority over others, so that under high loading conditions, the higher priority hosts can continue to have immediate access at the expense of the lower priority hosts which are denied immediate access (see, inter alia, Blumenau col. 5, line 58 to col. 6, line 5). There is no suggestion that access in Blumenau that priority levels are associated with resource consumption and that availability of a local resource may be reduced when an upper resource consumption limit is exceeded. Moreover, the Storage Virtualization Manager (SVM) of Nahum does not suggest selectively reducing an availability of a resource based on resource consumption.

Accordingly, claims 1-9 should be allowable.

Concluding Comments

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition,
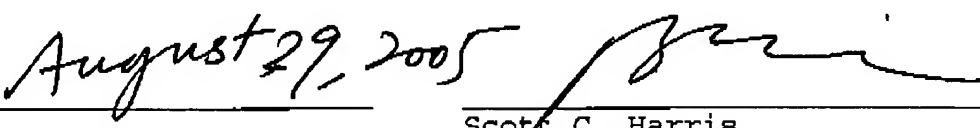
because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _August 29, 2005_

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